

AO 451 (Rev. 01/09) Clerk's Certification of a Judgment to be Registered in Another District

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

Michael Chow known as "Mr. Chow", et al

Plaintiff

v.

Chak Yam Chau, et al

Defendant

MISC 12 757

Civil Action No. 09-21893-CIV-Hoeveler

CLERK'S CERTIFICATION OF A JUDGMENT TO BE REGISTERED IN ANOTHER DISTRICT

I certify that the attached judgment is a copy of a judgment entered by this court on (date) 10/24/2012.

I also certify that, as appears from this court's records, no motion listed in Fed. R. App.P. 4(a)(4)(A) is pending before this court and that no appeal has been filed or, if one was filed, that it is no longer pending.

Date: 10/26/2012

Steven M. Larimore

CLERK OF COURT

Signature of Clerk or Deputy Clerk

FILED
IN CLERK'S OFFICE
U S DISTRICT COURT E.D.N.Y.
★ NOV 06 2012 ★
BROOKLYN OFFICE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 09-21893-CIV-HOEVELER/TURNOFF

MICHAEL CHOW known as "MR. CHOW", *et al.*

Plaintiffs/Counter-Defendants,

v.

CHAK YAM CHAU, *et al.*,

Defendants/Counter-Plaintiffs.

MISC 12 757

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.M.V.
★ NOV 06 2012 ★
BROOKLYN OFFICE

FINAL JUDGMENT

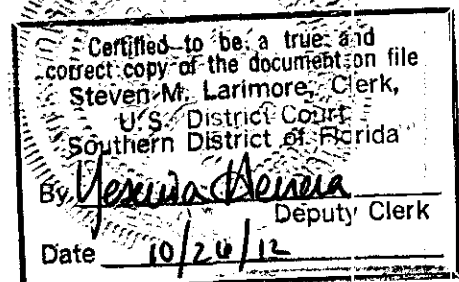
THIS CAUSE came before the Court, for jury trial, beginning January 23, 2012.

The parties presented evidence and argument to the jury and the case was concluded on February 23, 2012, when the jury returned its verdict, a copy of which is attached hereto. Consistent with the Court's ruling on the post trial motions entered this date, it is

ORDERED AND ADJUDGED that Final Judgment be and it is hereby entered in favor of T. C. Ventures, Inc., and against Defendant, Davé 60 NYC, Inc., in the amount of FIVE HUNDRED TWENTY THOUSAND FOUR HUNDRED FIFTY ONE and 00/100 DOLLARS (\$520.451.00).

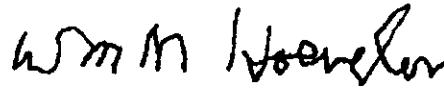
It is further ORDERED that the jury verdict in favor of MICHAEL CHOW and against STRATIS MORFOGEN is hereby set aside. MICHAEL CHOW takes nothing as to his claim against STRATIS MORFOGEN.

It is further ORDERED that as to the Defendants' Counterclaims against the Plaintiffs, Defendants take nothing by their actions.



Costs which are appropriate shall be taxed by separate order consistent with the Court's order on post trial motions entered this date.

DONE AND ORDERED in Chambers at Miami, Florida this 24th day of October, 2012.



SR. UNITED STATES DISTRICT JUDGE

cc: Counsel of record

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 09-21893-CIV-HOEVELER

**MICHAEL CHOW, known as "MR. CHOW,"
MR. CHOW ENTERPRISES, LTD.,
MC MIAMI ENTERPRISES, LLC, and
TC VENTURES, INC.,**

Plaintiffs,

v.

**CHAK YAM CHAU,
STRATIS MORFOGEN,
DAVID LEE,
MANNY HAILEY,
PHILIPPE MIAMI LLC,
DAVÉ 60 NYC, INC.,
PHILIPPE EXPRESS LLC, and
PHILIPPE WEST COAST LLC,**

Defendants.

VERDICT FORM

WE THE JURY FIND AS FOLLOWS:

LIABILITY

On each of the following claims, we find in favor of (check either
Plaintiffs or Defendants):

Plaintiffs' Claim for Trademark Infringement

_____ Plaintiffs

_____ ☒ Defendants

**Plaintiffs' Claim for Unfair Competition by Trade Name
Infringement**

_____ Plaintiffs

_____ ☒ Defendants

**Plaintiffs' Claim for Unfair Competition by Trade Dress
Infringement**

_____ Plaintiffs

_____ ☒ Defendants

Plaintiffs' Claim for False Advertising

_____ ☒ Plaintiffs

_____ Defendants

Plaintiffs' Claims for Unfair Competition by Deceptive Conduct

_____ ☒ Plaintiffs

_____ Defendants

**Plaintiffs' Claim for Unfair or Deceptive Practices in Violation of the
Florida Deceptive and Unfair Trade Practices Act**

_____ Plaintiffs

_____ ☒ Defendants

**Plaintiffs' Claim for Unfair Business Practices in Violation of the
California Business & Professions Code**

_____ Plaintiffs

_____ ☒ Defendants

Plaintiffs' Claim for Conversion of Intellectual Property

_____ Plaintiffs

_____ ☒ Defendants

DAMAGES

If you find in favor of the Plaintiffs on any of the above claims, you should proceed to determine the damages, if any, suffered by each restaurant.

If you do not find in favor of the Plaintiffs on any of the above claims, then you do not need to determine damages.

**Mr. Chow Restaurant
New York City (57th Street)**

Damages \$ 520,451.00

We find the following Defendants responsible for these damages (place an X or \checkmark mark):

<u> </u>	Stratis Morfogen
<u> </u>	Philippe Chow Chau
<u> </u>	David Lee
<u> \checkmark </u>	Davé 60 NYC, Inc.

**Mr. Chow Restaurant
Miami Beach**

Damages \$ 0

We find the following Defendants responsible for these damages (place an X
or ✓ mark):

_____	Stratis Morfogen
_____	Philippe Chow Chau
_____	David Lee
_____	Philippe Miami LLC

Mr. Chow Restaurant - Beverly Hills, California

Damages \$ 0

We find the following Defendants responsible for these damages (place an X or ✓ mark):

<u> </u>	Stratis Morfogen
<u> </u>	Philippe Chow Chau
<u> </u>	David Lee
<u> </u>	Manny Hailey
<u> </u>	Philippe West Coast LLC

Michael Chow (individually)

Damages \$ 500,000.00

**We find the following Defendants responsible for these damages (place an X
or ✓ mark):**

<input checked="" type="checkbox"/>	Stratis Morfogen
<input type="checkbox"/>	Philippe Chow Chau
<input type="checkbox"/>	David Lee
<input type="checkbox"/>	Manny Hailey
<input type="checkbox"/>	Davé 60 NYC, Inc.
<input type="checkbox"/>	Philippe Miami LLC
<input type="checkbox"/>	Philippe West Coast LLC

Punitive Damages

If you find in favor of the Plaintiffs on one of the following claims, you may proceed to determine whether punitive damages should be awarded on those claims: **unfair competition, conversion**. Punitive damages may not be awarded by the jury on Plaintiffs' claims other than those for unfair competition, and conversion. So if you do not find in favor of the Plaintiffs on one or more of those claims, you should skip this section.

Punitive Damages \$ 0

We find the following Defendants responsible for these punitive damages (place an X or ✓ mark):

- ☐ Stratis Morfogen
- ☐ Philippe Chow Chau
- ☐ David Lee
- ☐ Davé 60 NYC, Inc.
- ☐ Philippe Miami LLC
- ☐ Philippe West Coast LLC

Defendants' Counterclaims

On the following claim, we find in favor of (place a check by the party you find in favor of):

Defendant Philippe Chow Chau's Counterclaim for Defamation Per Se

_____ Philippe Chow Chau
and his restaurants

_____ ☒ Michael Chow
and his restaurants

Damages

If you find in favor of Philippe Chow Chau on the counterclaim for defamation, you should proceed to determine the damages, if any. If you do not find in favor of Philippe Chow Chau on this counterclaim, then you do not need to determine damages.

Damages \$ ☒

Punitive Damages

If you find in favor of Philippe Chow Chau on the counterclaim for defamation, you may proceed to determine whether punitive damages should be awarded on that claim.

Punitive Damages \$ ☒

On the following claim, we find in favor of (place a check by the party
you find in favor of):

**Defendant Philippe Chow Chau's Counterclaim for Deregistration of
the "Mr. Chow" Trademark**

_____ Philippe Chow Chau
and his restaurants

✓ _____ Michael Chow
and his restaurants

SO SAY WE ALL:


FOREPERSON

2/23/2012
DATE